City of Seattle

Department of Planning & Development
Diane M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3012351

Applicant Name: Holland Partners Group

Address of Proposal: 801 Dexter Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six-story structure containing 5,280 sq. ft. of ground level retail, six live-work units, and 280 residential units above in a steep slope critical area. Parking for 225 vehicles to be provided within the structure. Project includes 28,500 cu. yds. of grading. Existing two story warehouse on site to be demolished.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)

SEPA Environmental Determination – Chapter 25.05 SMC.

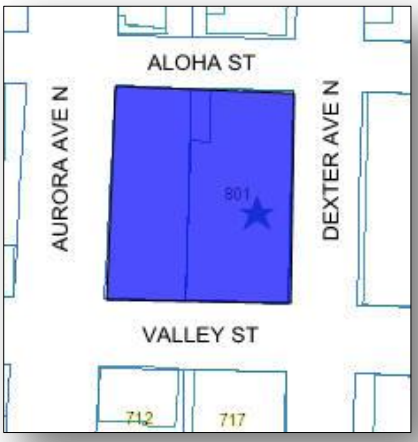
SEPA Determination: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND INFORMATION:

The 53,456 square foot development site is bounded by Aloha Street on the north, Dexter Avenue North on the east, Aurora Avenue North on the west, and Valley Street on the south. Included within the development site is a two-story commercial warehouse building completed in 1978 and currently vacant. The western part of the project site is currently used as a surface parking lot.



The proposed development will include demolition of the existing on-site building.

Parking for the proposed new development will be located below grade and will be accessed from Valley and Aloha Streets. Primary pedestrian access would be from Dexter Avenue North.

The site and the blocks north, south and east are zoned Seattle Mixed-65' ("SM-65"). The blocks to the west across Aurora Avenue North are zoned Commercial 1-65' ("C1-65"). The project site is two blocks from South Lake Union and South Lake Union Park. Topographically the site slopes diagonally from northwest to southeast and drops 34 feet from corner to corner. The site is at the toe of the east slope of Queen Anne hill and is well-positioned for views to the lake as well as being visible from the lake, I-5, and surrounding hillsides. The area surrounding the site in the past has been generally developed with low rise commercial and industrial buildings, similar to the existing building on site. In the past decade, the area has been steadily redeveloping, with newer multi-story mixed-use buildings predominantly being built. Along Dexter Avenue North north of the site, most properties are in multifamily or commercial use, while properties to the south in South Lake Union are mainly hotel, commercial, and biotech uses. Dexter Avenue North is a Class II pedestrian street.

New residential construction is underway directly north of the project site. Generally along Dexter the street wall has been sporadically defined, however the new developments will form a coherent street wall along this corridor, setting the stage for new urban character in the area. Additional development in the area is expected as a result of the pending South Lake Union rezone.

The proposed project would include 280 residential units, six live-work units, 5,280 sq. ft. of at-grade retail, and 225 below grade parking stalls.

Public Comments

Public comment was invited at the initial Master Use Permit applications and at the three Design Review public meetings. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below. Written comments were primarily concerned with view blockages from nearby properties and what was considered a surfeit of residential structures already within the area.

ANALYSIS – DESIGN REVIEW

Architect's Presentation: *(September 21, 2011 and November 2, 2011)*

Three alternative design schemes were presented.

*The first scheme **(Option A)** shown as a full block alternative is configured as **two C shaped buildings** joined together to form a doughnut shaped plan at the typical residential floor. Its design endeavors to maximize the amount of courtyard space at the interior of the block to provide a large exterior open space for units not facing the street. In order to accomplish this, the street facades of the building have been extended to the property lines with modulation along Dexter Avenue North accomplished by setting the center portion of the building set back, dividing the building mass into three major elements when viewed from the Aloha and Valley Street intersections. The building height steps with the grades, creating several breaks in height*

along Valley and Aloha streets, and progressively smaller floor plates as the building height increases. Live-work units, residential amenity space and retail at street level along Dexter Avenue N will provide pedestrian interest in small increments and create an interesting visual scale at street level. Two Design Departures would be required — 1) to allow 2 two-way curb cuts for vehicle access (one at Valley Street and on at Aloha Street) versus the single two-way curb cut allowed by code for this site. 2) To allow minimum façade height at limited location to be a minimum of 17' versus a minimum of 25' as required by code for this site.

*The second scheme (**Option B**) showed it is **an E shaped building with the open ends of the E oriented towards Dexter Avenue**. The wings forming the E are elongated to join with the wing that fronts Aurora, with a portion of the courtyards between the wings filled in along Dexter Ave N. It provides building modulation along Dexter above level 4, by breaking the building mass into three major elements. Two longer and narrower exterior courtyards are created at the interior of the block, that are partially open to the east above level four. Live-work units, residential amenity space and retail at street level along Dexter Avenue N will provide pedestrian interest in small increments and create an interesting visual scale at street level. Design Departure — allows a 2 two-way curb cuts for parking access (one at Valley Street and one at Aloha Street) versus the single two-way curb cut allowed by code for this site.*

*The third scheme (**Option C**) showed is comprised of **two E shaped buildings joined together, creating a double doughnut** shaped plan at the typical residential levels with two smaller internally oriented exterior courtyards. It provides building modulation along Dexter Avenue in the form of two notches facing the street breaking the facade into three massing blocks. This articulation provides two small elevated private courtyards along Dexter Avenue N. The building steps up two stories along Valley Street and Aloha Street. Live-work units and retail or amenity space at street level along Dexter Avenue N will provide pedestrian interest in small increments and create an interesting visual scale at street level. Two Design Departures would be required —1) Allow 2 two-way curb cuts for parking access (one at Valley Street and one at Aloha Street) versus the single two-way curb cut allowed by code for this site. 2) Allow minimum facade height at limited locations to be a minimum of 17' versus a minimum of 25' as required by code for this site.*

PUBLIC COMMENT (*at the Early Design Guidance)*

Approximately five to seven members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- A member of the public noted that the alternatives are all orient everything facing Dexter and little attention has been paid to the elevation along Aurora. How will the Aurora façade be treated to make a pleasant elevation, provide good units and control street noise within the units? The Architect noted that there will be units facing Aurora with widow fenestration to provide visual interest. Close attention will be paid to unit and façade design along Aurora: the mass of the building can be further articulated with notches and setbacks of the building façade, but generally the Dexter façade will have more articulation than along Aurora. Aurora offers a view corridor for units and also allows western sun exposure, but is noisy and has bad air quality. All of these issues will be considered in the final façade design.
- A member of the public noted that with only two parking garage entries traffic may back up onto Aurora; how will this be addressed? The Architect stated that traffic and mitigation will be studied at a later point in the review process.

- A member of the public noted a concern with the driver vehicle sight lines on Valley St for access to Aurora. The Architect stated that presently there are curb bulbs protecting the access onto Aurora; the building will not impede views to the south necessary for access onto Aurora.
- A member of the public encouraged the architect to provide sound absorption along Aurora. The Architect stated that Highway 99 has special considerations for traffic flow and sight line; and the sound issue will be addressed.
- A person who presently lives in the Alterra prefers Alternative 1 and noted that narrow courtyards can create problems of noise between units. The Board noted that it would be good to show the sight lines and façade relationships to the Alterra in future presentations.

Architect's Presentation: *(March 7, 2012)*

The design presented at the final recommendation meeting was a further developed version of the work shown at the Second Early Design Guidance meeting that received a positive response from the Board. No major changes were made to the recommended scheme with the elevated courtyard and entry points configured basically as shown before. One previously shown live-work unit at the east end of the Valley elevation was eliminated from the program and replaced with building amenity (gym) space. All facades and the roof plane have been further developed including materials and colors. Informed by the articulation of the building massing up the sloping side streets, the design development takes its inspiration from an Italian hill town vernacular and from colors and products associated with travel and an active lifestyle. Major massing moves are reinforced with bright color changes and separated by recessed slots in a consistent dark tone to unify the façade.

At grade level the landscape plantings are intended to reinforce the building's architectural articulation with cluster planting and bright colors. At upper levels the amenity decks were presented with an emphasis on the enhanced area of green roof and surface changes as way finding elements. One existing tree which may or may not qualify as exceptional was called to the Board's attention. The city zoning reviewer has requested further assessment of the tree which is noted on the survey as a 30" deciduous and is located slightly north-west of the middle of the site. Further review of the tree has determined that the survey misidentified the size of the tree; an arborist has confirmed that the tree has a 21" diameter and is not considered to be significant.

Public Comment *(at the recommendation meeting)*

- Although a few people identified themselves as members of the public when asked at the start of the meeting no public comments were made during the meeting.

DESIGN GUIDELINE PRIORITIES

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the Design Review website.

Site Planning

A-1 ***Responding to Site Characteristics.*** *The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.*

At the Early Design Guidance Meeting (EDG), the Board discussed that along Dexter there is an opportunity to create the feel of an urban environment, but Dexter is not the greatest retail street.

At the Interim EDG, the proposed design emphasized retail use at the north end of Dexter to create synergy with other retail at the intersection w/ Aloha St. Southern portion from Valley St to the main lobby is proposed as Live/Work.

At the final recommendation meeting: The corner of Dexter and Aloha as a highly glazed retail corner with a glass canopy turning the corner, high degree of visibility into the retail and associated retail signage along Dexter. Retail activity and uses will be configured to "spill" out onto the sidewalk where possible. The façade is set back 2' from property line at the retail and live-work units. A 32' wide by 20' deep courtyard with landscaping, water feature and retail seating is provided at the main building entry along Dexter. Landscaping and recessed entry stoops will be provided at the Live/Work units.

A-2 ***Streetscape Compatibility.*** *The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

At the Early Design Guidance Meeting, the Board discussed that the design team should consider relating each façade to the opposing street front context. It would be good to break down the lengths of the facades on the side streets.

At the Interim EDG Meeting, the design responded to the side streets by articulating the massing vertically in relation to the grade. Dexter façade was broken to expose the courtyard and reinforce the three grade related uses of retail, lobby and live work. The Aurora Façade is articulated in larger pieces to respond to its scale and the experience of viewing it at speed. The board expressed approval of the direction in façade development.

At the final recommendation meeting*: Dexter Ave North:* Dexter façade was broken to expose the courtyard and reinforce the three grade related uses of retail, lobby and live work. Retail will be floor to ceiling storefront. Main building entry will be single story storefront expression in wood panel wall. Live/Work units will have a series of components to transition from curb to building face. Overall dimension from curb to building will be 15' (including 2' building setback along Aurora). Components will include a 6' wide planter strip, 9' sidewalk, rock edging, weathered steel planter strip and landscaping to 24" above sidewalk, glazing above and 3'-6"' recessed entry stoop. Sidewalk will be illuminated by fixtures along concrete pilasters. Glazing at Live/Works will be obscured by tenant standard upward acting window shades.

Aurora Avenue North: Specific corner emphasis will be provided at the Aurora/Valley and Aurora/Aloha corners. Three vertically composed towers will infill along Aurora between the corners. The towers will be well articulated to provide visual interest. The entire façade is pulled off the property line from and varies in setback from 6' to 10' along Aurora.

Valley and Aloha: A curbcut will be provided into the project at Valley and Aloha. The design responded to the side streets by articulating the massing vertically in relation to the grade.

A-3 ***Entrances Visible from the Street.*** *Entries should be clearly identifiable and visible from the street.*

At the final recommendation meeting: Main building entry is clearly identifiable and visible from Dexter Avenue North.

A-4 ***Human Activity.*** *New development should be sited and designed to encourage human activity on the street.*

At the Early Design Guidance Meeting, the Board discussed that Aloha and Valley are really not pedestrian driven streets. They may get some activity due to bus stops on Aurora.

At the final recommendation meeting: The retail at the corner of Dexter and Aloha has been located to relate to the emerging retail activity at that intersection. The retail at 801 will relate to the transit stop, new retail at 901 Dexter and pedestrian connectivity to Lake Union. Opportunities for outdoor dining will be located in the courtyard at the main residential entry as well as along the sidewalk where possible. Combining residential, retail and pedestrian activity at this node will create opportunities for human activity along Dexter.

A-5 ***Respect for Adjacent Sites.*** *Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*

At the Early Design Guidance Meeting, the Board discussed that roof modulation is also important but hard to evaluate at the stage since units are not configured.

At the Interim EDG, the design showed roof articulation at Valley and Aloha that follows the grade and reinforces the rhythm of the building articulation.

At the final recommendation meeting: Articulation has been further developed at side streets. All outdoor roof terraces and active areas will be oriented away from adjacent buildings.

A-6 ***Transition Between Residence and Street.*** *For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.*

At the final recommendation meeting: Careful consideration will be given to providing lighting, appropriate landscaping and "eyes on the street" to provide security for residents along the street edges.

A-7 ***Residential Open Space.*** *Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*

At the final recommendation meeting: The primary roof terrace amenity space at Level 8, secondary amenity roof terraces overlooking Dexter at Level 7 and Dog Park at Level 9 will provide a variety of attractive open spaces for the residents.

A-8 ***Parking and Vehicle Access.*** *Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.*

At the Early Design Guidance Meeting, the Board discussed parking access on Aloha should be aligned with 901 Dexter project to the north.

At the Interim EDG, the design presented 2 access points, one each at Valley and Aloha. The board supported the two entrance approach. The planned reported that John Shaw, DPD transportation planner also supported the scheme.

B. Height, Bulk and Scale

B-1 ***Height, Bulk, and Scale Compatibility.*** *Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.*

At the Early Design Guidance Meeting, the Board discussed that the sidewalk to roof is over 60' and proportions of the vertical building mass should be considered. Single courtyard alternative works best and articulation is necessary. The building seems to be an odd size and the design team might consider looking at a taller base element (2/4 versus the current 1/5 depiction). Additional articulation is required.

At the Interim EDG, the design showed a taller 2/4 base as previously recommended. Additional vertical massing moves are incorporated at all facades. He board expressed approval of the way massing is used to define the use zones on Dexter and the relationship to grade at the side streets.

At the final recommendation meeting: The project is compatible with new and proposed development in the area. The massing and rhythm along Dexter is divided into a taller 2/4 proportioned base. Along Valley and Aloha the facades are broken into a series of interlocking facades that step down the hill and transition the building to grade. A series of large vertical reveals are used as a strategy to articulate all building facades. Upper floors are stepped back to conform to max allowable building height, create additional modulation and roof terrace opportunities.

C. Architectural Elements and Materials

C-1 ***Architectural Context.*** *New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

C-2 ***Architectural Concept and Consistency.*** *Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.*

At the Early Design Guidance Meeting, the Board discussed the current base/top of the building relationship seems more office park like; stronger base could also help define the retail. The design team should consider a stepping roof line, modulated base and relationship with buildings to the north of the site.

At the Interim EDG the design showed a taller 2/4 base to enhance the retail presence as previously recommended. The board commented that the building continued the rhythm of 901 (to the north) nicely.

At the final recommendation meeting: The building is well modulated and broken down in scale to respond to new developments along Dexter Avenue North especially 717 Dexter and 901 Dexter. Windows are organized into vertical bays to organize and add an extra level of detail as well as relate to neighboring facades.

C-3 ***Human Scale.*** *The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.*

At the Early Design Guidance Meeting, the Board discussed that there is a need to resolve the expression of the building at the corners; live/work units should have appropriate transition zone from the sidewalk to front door.

At the Interim EDG board repeated the guidance to develop a transition zone at the Live Work unit entries. Landscaping would be one desirable element.

At the final recommendation meeting: The building has been developed into a series of smaller well-proportioned pieces that respond to the site's sloped character as well as reinforce rhythms found in adjacent developments. The various pieces contribute to a "hill town" concept that will be recognizable from surrounding on site views. A vibrant color palette will also help articulate and emphasize the "hill town" concept. The roofscape has been considered as integral to the design concept with emphasis on elements such as the "butterfly" clerestory element at the club room amenity space, roof terraces, and dog park elevator tower.

C-4 ***Exterior Finish Materials.*** *Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

At the final recommendation meeting: The building exterior will be comprised of a high quality residential window system, flat and textured cementitious panels, well detailed cast in place concrete, rough grain wood panels at the main building entry and

weathered steel planter walls at street level along Dexter. Three different canopy systems will be used along Dexter, glass and metal at the retail frontage, metal structure with wood soffiting at the main building entry and a simpler corrugated metal canopy system at the live/work units.

C-5 ***Structured Parking Entrances.*** *The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.*

At the final recommendation meeting, The Board supported the two-access point scheme.

D. Pedestrian Environment

D-1 ***Pedestrian Open Spaces and Entrances.*** *Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.*

At the final recommendation meeting: Lighting will be provided along street edges as well as "eyes on the street" to create defensible space. Appropriate landscaping, lighting and appropriate materials will be used at all building exits to discourage loitering.

D-2 ***Blank Walls.*** *Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.*

D-5 ***Visual Impacts of Parking Structures.*** *The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.*

D-7 ***Personal Safety and Security.*** *Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

At the final recommendation meeting: Along Aurora lighting and clear site lines will be provided for pedestrian safety. Additional lighting will be located at lower units along Aurora for security.

D-9 ***Commercial Signage.*** *Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.*

D-10 ***Commercial Lighting.*** *Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.*

At the final recommendation meeting: Appropriate lighting will be provided around the building both for security as well as to enhance the pedestrian environment along Dexter.

D-11 ***Commercial Transparency.*** *Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.*

D-12 ***Residential Entries and Transitions.*** *For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.*

At the final recommendation meeting: Overall dimension from curb to building will be 15' (including 2' building setback along Aurora). Components will include a 6' wide planter strip, 9' sidewalk, rock edging, weathered steel planter strip and landscaping to 24" above sidewalk, glazing above and 3'-6" recessed entry stoop. Sidewalk will be illuminated by fixtures along concrete pilasters. Glazing at Live/Works will be obscured by tenant standard upward acting window shades.

E. Landscaping

E-2 ***Landscaping to Enhance the Building and/or Site.*** *Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.*
At the Interim EDG the board recommended landscaping to help define the transition zone between the sidewalk and the Live/Work Entries

At the final recommendation meeting: As noted above a weathered steel planter will be located under the window at the Live/Work units as part of the transition zones.

Design Standard Departures

The Board's recommendation on the requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Early Design Guidance meeting, the following departures were requested:

1. *Option A: requires two design departures — 1) to allow 2 two-way curb cuts for vehicle access (one at Valley Street and on at Aloha Street) versus the single two-way curb cut allowed by code for this site. 2) To allow minimum façade height at limited location to be a minimum of 17' versus a minimum of 25' as required by code for this site.*

   The Board has not indicated their position on the departures.

2. *Option B: requires one design departure — that allows 2 two-way curb cuts for parking access (one at Valley Street and one at Aloha Street) versus the single two-way curb cut allowed by code for this site.*

   The Board has not indicated their position on the departure.

3. *Option C: requires two design departures —1) Allow 2 two-way curb cuts for parking access (one at Valley Street and one at Aloha Street) versus the single two-way curb cut allowed by code for this site. 2) Allow minimum facade height at limited locations to be a minimum of 17' versus a minimum of 25' as required by code for this site.*

   The Board has not indicated their position on the departures.

At the time of Interim Early Design Guidance, the following departures were requested:

1) To allow (2) two-way curb cuts for vehicle access (one at Valley Street and on at Aloha Street) versus the single two-way curb cut allowed by code for this site.

The board did not make a formal recommendation for approval but expressed support for the departure because it appears to have a positive impact on traffic flow to and from the site. The planner reported the DPD Traffic planned John Shaw has also expressed support.

2) To allow minimum façade height at limited location over the lobby at Dexter to be a minimum of 23' versus a minimum of 25' as required by code for this site.
   The board did not make a formal recommendation but expressed support for the departure because it will strengthen the relationship between the street and the L3 courtyard.

Summary of Interim Early Design Guidance

1. Aurora Avenue North
   a. Applicant is encouraged to make sure articulation and landscape are robust.
   b. Consider access off Aurora onto Aloha as a major neighborhood entry point

2. Dexter Avenue North
   a. Enhance Transition zone to Live work entries. Consider Landscape as one element of the zone.
   b. Approve of the opening in the façade and the organization to reinforce the three street level use zones.
   c. Consider variation in base height to differentiate the street level uses.

3. Valley and Aloha Streets
   a. OK for parking entries (align with adjacent parking entries)
   b. General massing and articulation approved. Good response to grade.

4. Building massing
   a. Consider visibility of roofs from adjacent sites.

Summary of Design Review Board Recommendations

1. Aurora Avenue North
    a. Provide articulation at the Aurora façade to increase visual interest taking into consideration the quality of the unit environment, as well as the noise and air quality impacts from Aurora
    b. Consider access off Aurora onto Aloha as a major neighborhood entry point

2. Dexter Avenue North
    a. Provide additional public open space and transparency at the corner of Aloha and Dexter
    b. Consider widened sidewalk or setback facades including landscaping as a pedestrian amenity
    c. Use elements that consider human scale at the ground level
    d. Provide transition zone at live/work units
    e. Provide additional building modulation and façade articulation
    f. Consider vertical articulation of building base to top relationship

3. Valley and Aloha Streets
    a. OK for parking entries (align with adjacent parking entries)
    b. Breakup the perceived length of the building with modulation and façade articulation
    c. Consider building modulation related to steps in roof line
    d. Relate façades to elements of buildings across the streets from the site

4. Building massing
    a. Single courtyard preferred to create more desirable resident environment
    b. Consider stepping of roof line and setbacks at upper levels to create visual interest
    c. Consider relationship of base to top of building relationships to create more appealing building proportions.

At the Recommendation meeting the following three departures from the development standards were proposed:

Development Standard Requirement	Request/Proposal	Justification
Minimum Façade Height (23.48.014-B.2): The minimum façade height along a Class II Pedestrian Street is 25'.	The project requests a departure along Dexter Ave. N. allowing the recessed area at the lobby to be approximately 23' high.	23' facade height will allow greater visual connection from the adjacent sidewalk to the upper level landscaped courtyard. The lowered parapet will also enhance light, air and views from the courtyard to the street.
Screening and landscaping standards SMC 23.48.024 2. Landscaping for Setback Areas and Berms. Each setback area or berm required shall be planted with trees, shrubs, and grass or evergreen groundcover. Features such as pedestrian access meeting the Washington State Rules and Regulations for Barrier-Free Design, decorative pavers, sculptures or fountains may cover a maximum of thirty (30) percent of each required landscaped area or berm. Landscaping shall be provided according to standards promulgated by the Director. Landscaping designed to provide treatment for storm water runoff qualifies as required landscaping.	The project will request a departure to allow approximately 50% of the entry setback along Dexter to be covered with decorative pavers and fountains.	Program for this space includes the main building entry and seating for adjacent retail. As this is one of the project's primary areas for human activity and way finding along Dexter pavers are more conducive and pedestrian friendly than landscape cover. A variety of native plant species including a Japanese Maple, Cotoneaster, Ferns and Creeping Mahonia will be provided in the setback area as well.

The board voted unanimously (3-0) in support of each of the two requested departures. A third departure was requested regarding the number of two-way curb cuts and supported by the Board, however, the decision to allow two-way curb cuts is a decision made by DPD, not a departable standard by the Board.

DECISION – DESIGN REVIEW

After considering the proposed design and design solutions presented in relation to previously prioritized design guidelines and after having heard public comments on the project's design, the three Design Review Board members present unanimously **recommended approval** of the subject design **with conditions noted below** and unanimously **recommended approval** of the two requested design departures.

The Director of DPD has reviewed the recommendations of the three Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the ***City of Seattle Design Review: Guidelines for Downtown Development*** and do not conflict with regulatory requirements.

Therefore, the proposed design is **APPROVED** as presented at the March 7, 2012 Design Review Board meeting.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS – SEPA

This analysis relies on the ***Environmental (SEPA) Checklist*** for the proposed development submitted by the applicant on December 22, 2011 which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*," subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

- During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust and truck loads and routes will be monitored to minimize dust-related impacts.
- Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.
- Using electrically operated small tools in place of gas powered small tools wherever feasible.
- Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.

These and other construction and noise management techniques shall be included in the Construction Impact/ Noise Impact Management Plan to be submitted for approval prior to issuance of construction permits.

Noise

The project is expected to generate loud noise during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD. Construction noise is within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts. Any need to address specific additional noise restrictions because of particularly sensitive sites nearby will be addressed in the Construction Impact/Noise Impact Management Plan to be approved by DPD and SDOT prior to issuance of any construction permits.

Traffic and Circulation

Site preparation would involve removal of the existing on-site building and asphalt pavement and excavation for the foundation of the proposed building and below grade parking garage. Approximately 35,000 cubic yards of material would be excavated and removed from the site.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the removal of the existing building and excavation for the foundation of the proposed building will be of short duration and mitigated in part by enforcement of SMC 11.62. This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use double loaded trucks to export/import grade/file material, with each truck holding approximately 20 cubic yards of material, thus requiring approximately 1,750 truckloads (3,500 trips) to remove the estimated 35,000 cubic yards of excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts – Use-Related Impacts

Earth

The project site is located in a steep slope critical area. SMC 25.05.908 provides that the scope of environmental review of a project within a critical area is limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes evaluating the need for additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and applicable environmental laws.

DPD has reviewed and analyzed the environmental checklist submitted by the applicant, the geotechnical report prepared by Terra Associates, Inc. and determined that this action will not result in significant adverse impacts to the environment. Codes and development regulations applicable to the project will provide sufficient mitigation for most anticipated impacts.

Traffic and Transportation

The applicant submitted a Transportation Impact Analysis ("TIA") prepared by The Transpo Group in February 2012. This report evaluates existing traffic conditions in the study area, estimates the total amount of new traffic to be generated by this project, and evaluates the impact of these new trips on the level-of-service of intersections in the study area.

The project is anticipated to be constructed and occupied by 2014. By this date, significant changes to the roadway network in the project vicinity will have occurred with the completion of the Mercer Corridor East project. In 2014, the project is expected to generate 930 net new vehicle trips to the surrounding street system per day, including 28 net new vehicle trips during the AM peak hour, and 43 net new vehicle trips during the PM peak hour. As demonstrated in the traffic impact analysis, the percent of traffic volume impacts at those intersections studied is less than 2 percent during both the weekday AM and PM peak hours. The greatest impact is expected at the intersections nearest to the proposed project on Dexter Avenue North and Valley Street. These impacts fall within the range of typical day-to-day fluctuations in traffic volumes, which generally fluctuate five to ten percent day-to-day. In addition, all study intersections would continue to operate acceptably under the same level of service as without project conditions during the weekday AM and PM peak hours. With the construction of planned improvements associated with the Mercer Corridor project, and the following shift in travel patterns, the infrastructure surrounding the proposed project will be sufficient to accommodate the off-site trips generated by the new development and no off-site mitigation is necessary.

Due to expected transportation impacts in South Lake Union, the project is required to pay impact fees to the City of Seattle to contribute towards planned capital improvements in the South Lake Union neighborhood identified in the City's South Lake Union Transportation Study. Improvements include a combination of vehicle, bicycle, pedestrian, and transit projects which will benefit all projects in the neighborhood. The project's pro-rata share of the infrastructure costs is $42,185.

Pedestrians and bicyclists are anticipated to account for some trips generated by the proposed project. The project site is well-served by both pedestrian and bicycle facilities, with Dexter Avenue North being a major bike thoroughfare. To accommodate bicyclists, secure bike storage will be provided for users of both the residential apartments and for employees of the retail land use. Shorter term bike parking will be provided on Dexter Avenue North for visitors to the proposed development.

The TIA also completed a parking supply and demand analysis of the project. The memorandum also evaluated the proposed parking supply compared to the anticipated parking demand and code requirements. The peak parking demand for the proposed project was estimated based on data provided in ITE *Parking Generation* (4th Edition) and local vehicle ownership data. The peak parking demand for the apartment uses is expected to be below national averages due to the unit mix, the project's proximity to frequent transit service, and the pedestrian and bicycle facilities in the vicinity. Based on the proposed mix of apartment units, a vehicle ownership rate

of 0.58 vehicles per dwelling unit was used. The ownership was applied to the ITE estimated parking demand equation and results in a parking demand of 0.75 vehicles per apartment unit. Based on the adjusted peak demand rate for the residential units, the peak parking demand is estimated to be 220 vehicles. Therefore, the parking supply of 235 parking stalls would accommodate the anticipated parking demand for the proposed project. As such, the project is not expected to generate any parking impacts and no parking mitigation would be required.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 5-2009 and the City's Land Use Code is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The evaluated screen-lines included in the TIA would all continue to operate below the concurrency threshold with construction of the project. As a result, no concurrency-related mitigation is warranted or required for the project.

Noise

Noises consistent with an urban residential building in the Downtown Urban Center may be generated as a result of this project. Noise generation as a result of the project is not expected to be significant and therefore no mitigation is required or warranted.

Height, Bulk, and Scale

The design guidelines are intended to mitigate height, bulk and scale impacts under SEPA. A project that is approved pursuant to the design review process is presumed to comply with the City's SEPA policies regarding height, bulk, and scale. Through the design and environmental review process, DPD has found no evidence that height, bulk or scale was not adequately addressed through the design review process and compliance with the design guidelines. As such, no additional mitigation regarding height, bulk and scale is warranted or required.

Public Views

SEPA public view protection policy is stated at SMC 25.05.675.P. In order to protect views of Seattle's natural and built surroundings, the City has developed particular sites and corridors for public enjoyment of views. Aurora Avenue North is a designated scenic route. However, no views of the downtown skyline or of Lake Union exist from the project site due to the existing buildings and due to the existing built environment surrounding the site. Therefore, no impacts to public views exist and no mitigation is required or proposed.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[**X**] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

The proposed action is **APPROVED WITH CONDITIONS**.

CONDITIONS – SEPA

Prior to issuance of any Construction, Shoring or Grading Permits

1. The applicant shall submit for review and approval a Construction Impact/Noise Impact Management Plan, as referenced in the decision above, to the Department of Planning and Development. The plan shall identify management of construction activities, dust abatement, and noise, including construction hours, worker parking, traffic issues and anticipated street, alley and sidewalk closures.

2. The applicant shall obtain a permit from the Puget Sound Clean Air Agency for removal of hazardous materials during demolition, should any be found. The permit shall be submitted to DPD prior to issuance of any demolition permit. This will ensure proper handling and disposal of asbestos, if it is encountered on the site.

During Demolition, Excavation, and Construction

3. For the duration of the removal of the existing building, excavation of materials, and delivery of construction materials; the owner(s) and/or responsible party(ies) shall cause truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.

4. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of Building Permit

5. Due to expected transportation impacts in South Lake Union, the project is required to contribute towards planned capital improvements in the South Lake Union neighborhood. The project's pro-rata share of the **infrastructure costs is $42,185**.

6. Work with the Land Use Planner (Colin Vasquez) to revise the design of the building to remedy the following:
   a. Explore a change in planes or other mechanisms to make the transition between the white and teal colored areas at the south end of the upper Dexter Avenue façade in a manner that is more consistent with the rest of the project.
   b. Further screen or enhance the street-level facades as they return west from the Dexter elevation.
   c. Carefully detail the fiber reinforced cement panel siding, particularly at the building corners.
   d. The black glossy vehicle barrier and guardrail along Aurora should be changed to a material more consistent with the rest of the project.

e. The deciduous tree should obtain an arborist report to determine whether it qualifies as an exceptional tree under SMC 25.11.050. However, considering the tree's location in the middle of the site the Board agreed that there are no available design departures which would allow the tree to be retained by the project.

During Construction

7. Any major proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner assigned to the project.

8. Substantial compliance with all imagines and text on the MUP drawings, as modified by this decision and approved by the Land Use Planner, shall be verified by the Land Use Planner assigned to this project. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that substantial compliance has been achieved.

Signature: (signature on file) Date: May 31, 2012
Colin Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV:ga